

**MINUTES OF THE AUGUST 7, 2006  
CHINCOTEAGUE TOWN COUNCIL MEETING**

**Council Members Present:**

John H. Tarr, Mayor  
Anita Speidel, Vice Mayor  
Nancy B. Conklin, Councilwoman  
Terry Howard, Councilman  
Ellen W. Richardson, Councilwoman  
E. David Ross, Councilman  
Glenn B. Wolffe, Councilman

***Call to Order***

Mayor Tarr called the meeting to order at 7:30 p.m.

***Invocation***

Councilman Howard offered the invocation.

***Pledge of Allegiance***

Mayor Tarr led the Pledge of Allegiance.

***Agenda Additions/Deletions and Adoption***

Councilman Howard motioned, seconded by Councilwoman Conklin, to adopt the agenda as presented. The motion was unanimously approved.

***1. Approval of Minutes of the July 10, 2006 Regular and Special Council Meetings.***

Councilwoman Conklin motioned, seconded by Councilwoman Richardson, to approve the minutes as presented. The motion was unanimously approved.

***2. Ordinance Committee Report of July 12, 2006.***

Councilman Ross motioned, seconded by Councilwoman Conklin, to approve the minutes as presented. The motion was unanimously approved.

***3. Chincoteague Recreation & Convention Center Authority Report of June 12, 2006.***

Councilman Wolffe motioned, seconded by Councilwoman Richardson, to approve the minutes as presented. Councilwoman Conklin reported that the Center has a new maintenance technician and that the Authority has decided to raise the rental rates, effective July 1<sup>st</sup>. The motion was unanimously approved.

#### **4. Public Hearing – Newly revised draft Ordinance, Chapter 70, Waterways.**

Mayor Tarr explained that Town Attorney Poulson prepared a newly revised draft Ordinance, Chapter 70, Waterways. Councilman Howard motioned, seconded by Councilwoman Conklin, to open the public hearing. The motion was unanimously approved.

After receiving no public comments, Mayor Tarr closed the public hearing. He stated that the draft ordinance will be discussed later in the meeting.

#### **5. Public Participation.**

- Mr. Giovanni Rosanova, representative of the North Accomack Soccer League, respectfully requested assistance for the League from Council. Mayor Tarr stated that the request will be reviewed by the Budget and Personnel Committee.
- Mr. James Cole, a resident of Ocean Breeze, complained about the unsafe road conditions in the development. Mayor Tarr responded that the matter will be reviewed by Town Attorney Poulson to verify that, under the Code of Virginia, the Town has the authority to repair the roads and place a lien against the owner of the roads. He added that staff will advise Mr. Cole of the outcome.

#### **6. Adoption of newly revised Ordinance, Chapter 70, Waterways.**

Councilman Howard motioned, seconded by Councilman Wolffe, to consider adoption of the newly revised Ordinance, Chapter 70, Waterways.

Councilman Howard made a motion to amend the original motion to strike out the words “*situated either in the town or within two miles of its corporate limits*” in Section 70-29. Councilman Wolffe seconded the motion, and it was unanimously approved.

Councilman Howard made a motion to amend the original motion to add the word “*except*” just before the words “*by special authority...*” in Section 70-95(b). Councilman Ross seconded the motion, and it was unanimously approved.

Councilman Wolffe made a motion to amend the original motion to include the word “*designated*” just after the words “*which areas shall be*” in Section 70-96(a). Vice Mayor Speidel seconded the motion, and it was unanimously approved.

Councilman Howard made a motion to amend the original motion to replace the word “*harbor*” with “*other town water-related facilities, excepting the Town Dock*” in the first sentence of Section 70-123. Councilman Wolffe seconded the motion, and it was unanimously approved.

Councilman Wolffe made a motion to amend the original motion to include the word “*vessels*” after the words “*Overnight habitation of*” in Section 70-95(b) and to strike the

language of Section 70-104(i) and leave Section 70-104(i) as “*Reserved*”. Councilman Ross seconded the motion, and it was unanimously approved.

Councilman Wolffe made a motion to amend the original motion to strike the word “*boats*” in Section 70-119(b). The motion was seconded by Councilman Howard. There was discussion contrary to the motion. Town Attorney Poulson advised that the original language of Section 70-119(b) should not be stricken.

Ayes – None

Nays – Conklin, Howard, Richardson, Ross, Speidel, Wolffe

The motion was defeated.

Councilman Wolffe then made a motion to amend the original motion to include the words “*Overnight habitation of boats, parked vans, automobiles, trucks, mobile homes, camper trailers or other recreational vehicles or apparatus, including tents, at any such facility is prohibited, except that slip holders and their guests may utilize overnight accommodations on boats designed for such overnight use, after obtaining the lease from the Town.*” as the language of Section 70-119(b). Vice Mayor Speidel seconded the motion, and it was unanimously approved.

The original motion made by Councilman Howard and seconded by Councilman Wolffe was unanimously adopted as amended above.

## **7. Adjoining Property Owner Notice (BZA Applicant, Michael E. McGee).**

Councilman Wolffe motioned, seconded by Vice Mayor Speidel, to neither approve nor disapprove the project and to respond “no comment” on the Adjoining Property Owner Notice for Mr. McGee’s BZA application. Councilman Wolffe reiterated the importance of the Town to remain neutral in the capacity of adjoining property owners.

Ayes – Conklin, Richardson, Ross, Speidel, Wolffe

Nays – Howard

Absent – None

The motion was carried.

## **8. Mayor & Council Announcements or Concerns.**

- Councilman Howard stated that Church Street, from Willow Street to the canal, and also Pension Street are in need of repair. Councilman Wolffe stated that the matter will be discussed at the September Public Works Committee meeting. Councilman Howard also stated that the Harbor Committee will not meet on August 9<sup>th</sup>.
- Councilman Wolffe asked about the status of the information from the planning group. Town Manager Ritter responded that the group was tallying the public comments. He stated that he will call the group to check the status.
- Councilman Ross stated that the Ordinance Committee will not meet on August 9<sup>th</sup>.
- Vice Mayor Speidel stated that the Recreation and Community Enhancement Committee meeting will not meet on August 10<sup>th</sup>, but will meet on September 14<sup>th</sup>.

- Councilwoman Richardson announced that the Planning Commission will hold a special meeting on August 8<sup>th</sup> at 7:00 pm to discuss the Sign Ordinance. She also stated that she has heard complaints from a man about his neighbor's cats. Mayor Tarr advised Councilwoman Richardson to speak to Chief Lewis about the complaint.
- Mayor Tarr recommended that the Safety and Transportation Committee prepare a budget for a Town animal control program. He added that the positives and negatives of the Town having its own animal control program should also be listed.

### ***Adjournment of Meeting***

Mayor Tarr announced that the next meeting will be on August 17, 2006 at 7:30 pm. Councilwoman Richardson motioned, seconded by Councilwoman Conklin, to adjourn the meeting. The motion was unanimously approved.

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Mayor

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Town Manager